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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,968	08/15/2006	Jozef Pieter Van Gassel	NL040164	8738

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BRIARCLIFF MANOR, NY 10510

EXAMINER

NGUYEN, DUC M

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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07/12/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/597,968	VAN GASSEL ET AL.	
	Examiner	Art Unit	
	DUC M. NGUYEN	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/20/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the information disclosure statements submitted on 12/20/06 have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims **1-6, 8-12, 14-15** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Liew** et al (US 2003/0167337) in view of **Moriyama** et al (US 2004/0198430).

Regarding claims **1**, **Liew** discloses a method of saving power for a mobile rendering device, said method comprising the steps of:

when said rendering device is connected to a wired network:

Art Unit: 2618

a) downloading data via said wired network at a maximum available data rate, wherein said data being to be rendered on said mobile rendering device (see [0013, 0034, 0038]),

b) storing said data on a local storage means of said mobile rendering device (see [0017, 0038]),

c) rendering the received data from said local storage means for reproduction by said mobile rendering device (see [[0019, 0037, 0040]]); and

when said rendering device subsequently is not connected to any network:

d) rendering said stored data from said storage means on said display means (see [0024, 0040]); such that data transmission via a wireless network connection of said mobile rendering device is avoided when this is possible (see [0024, 0040]), where it is clear that when the download is completed, the client would not be connected to any network (see [0024]),

or if the client is connected solely to a wireless network in the similar way as disclosed by **Moriyama** (see Figs. 1, 3, 5), data transmission via a wireless would be unnecessary because the download has been completed.

Therefore, by simply providing a wireless capability to the client in Liew, the claimed limitations are made obvious by Liew and Moriyama.

Regarding claim **2**, the claim is rejected for the same reason as set forth in claim 1 above. However, **Liew** fails to teach continue downloading said data (i.e., not yet downloaded data) via a wireless connection. However, **Moriyama** further teaches a method for downloading image data via a wired and wireless connection, where

Art Unit: 2618

downloading of image data via a wireless connection is continued after disconnected from a wired connection (see Figs. 6, 9). Since it would have been obvious to continue download data if not completed (see Liew, [0039]), it would have been obvious to one skilled in the art at the time the invention was made to modify Liew to continue downloading said data via a wireless connection as suggested by Moriyama, in order to finish an assigned task before continue to a next one (see Liew, [0038-0039]).

Regarding claim **3**, the claim is rejected for the same reason as set forth in claim 2 above. In addition, **Liew** as modified would teach the step of switching off said wireless network connection upon finishing downloading said data to said local storage means (see Liew,[0024]), wherein said data comprises remaining data of a content to be rendered from said local storage means as claimed (see Moriyama, Figs. 6, 9).

Regarding claim **4**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Liew** would teach the step of requesting said data to be received, wherein said requesting being based upon user interaction (see Liew, [0032] regarding scheduling unit 118 which would obviously suggest a user interaction with the scheduling unit).

Regarding claim **5**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Liew** would teach the step of requesting said data to be received, wherein said requesting being based upon predetermined user preferences (see Liew, [0032] regarding scheduling unit 118 which would obviously suggest a user preference with the scheduling unit).

Regarding claim **6**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, it would have been obvious to one skilled in the art at the time the invention was made to modify **Liew** to provide the step of indicating the status of the downloaded data as claimed, for notifying a user when download are completed (see Liew, [0024]).

Regarding claim **8**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Liew** would teach said data being multimedia content as claimed (see [0015]).

Regarding claim **9**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, Liew would teach performing the transition from step c) to step d) without interruption as claimed (see Liew, [0019]).

Regarding claim **10**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, Liew would teach performing step c) simultaneously to steps a) and b) as claimed (see Liew, [0019]).

Regarding claim **11**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Liew** as modified would teach the mobile rendering device is positioned in a fixed location when connected to the wired network; and used in a mobile environment when solely connected to the wireless network or not connected to any network at all (see Moriyama, Fig. 1) .

Regarding claim **12**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, Liew as modified would teach a mobile rendering device (1) for performing the method of claim 1, said device (1) comprising

Art Unit: 2618

means (10) for reproducing data (see Liew, [0019]);

wireless network communication means (17) (see Moriyama, Figs. 3, 5), and

wired network communication means (15) (see Moriyama, Figs. 3, 5),

said means (10, 15, 17) being operatively connected to each other such that said device is adapted to receiving data via either a wireless network in a mobile environment, or via a wired network at a fixed location (see Moriyama, Figs. 3, 5), from a remote data server for rendering on said display means (10) (see Liew, [0015]),

said device (1) further comprising a storage means (11) for storing data received from said data server via said wired network (15) or via said wireless network (15), wherein received data in use is rendered on said means for reproducing data from data read from said storage means (11) at said fixed location and in said mobile environment (see Liew, [0017] and Moriyama, Figs. 3, 5).

Regarding claim **14**, the claim is rejected for the same reason as set forth in claim 12 above. In addition, Liew as modified would teach said fixed location is a stand (12) for releasably receiving said device (1) as claimed (see Moriyama, Figs. 1, 3, 6).

Regarding claim **15**, the claim is rejected for the same reason as set forth in claim 12 above. In addition, Liew would obviously teach said device is a portable flat panel television set as claimed (see Liew, [0002]).

4. Claims **7**, **13** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Liew** in view of **Moriyama**, and further in view of **Matthews** et al (US 2002/0109665).

Regarding claims **7, 13**, since **Liew** as modified in view of **Moriyama** would obviously teach a battery for the portable client in a wireless mode (see Moriyama, Fig. 1, 3, 5). Therefore, in order to provide a power supply for the client to operate, it would have been obvious to one skilled in the art at the time the invention was made to further modify Liew to provide a docking to recharge the battery in the similar as disclosed by **Matthews** (see [0017]), in order to provide a power supply for the client to operate.

5. Claims **1, 4-6, 8-12, 14** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Wong** (US 7,739,597) in view of **Liew** et al (US 2003/0167337).

Regarding claim **1**, **Wong** discloses a method of saving power for a mobile rendering device, said method comprising the steps of:

when said rendering device is connected to a wired network:

a) downloading data via said wired network at a maximum available data rate, wherein said data being to be rendered on said mobile rendering device (see col. 14, lines 41-57 regarding hard wired connection), where **Wong** would obviously suggest the download is performed at maximum available rate (see col. 8, lines 39-41) in the similar way as disclosed by **Liew** (see [0019]);

b) storing said data on a local storage means of said mobile rendering device (see col. 10, lines 50-56),

c) rendering the received data from said local storage means for reproduction by said mobile rendering device (see col. 10, lines 50-56), which can be viewed while downloading in the similar way as disclosed by **Liew** (see [0019]); and

when said rendering device subsequently is solely connected to a wireless network or not connected to any network:

d) rendering said stored data from said storage means on said display means (see col. 10, lines 50-56);

such that data transmission via a wireless network connection of said mobile rendering device is avoided when this is possible (see Wong, col. 10, lines 50-56 and Liew,[0024, 0040]), where it is clear that when the download is completed, the IMF client would not be connected to any network and thus, data transmission via a wireless network would be unnecessary.

Regarding claim **4**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Wong** would teach the step of requesting said data to be received, wherein said requesting being based upon user interaction (see Wong, col. 14, lines 47-57).

Regarding claim **5**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Wong** would teach the step of requesting said data to be received, wherein said requesting being based upon predetermined user preferences (see Wong, col. 14, lines 47-57).

Regarding claim **6**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Wong** would teach the step of indicating the status of the downloaded data as claimed (see col. 8, lines 18-25).

Regarding claim **8**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Wong** would teach said data being multimedia content as claimed (see Wong, col. 5, lines 25-31).

Regarding claim **9**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Wong** as modified in view of Liew would teach performing the transition from step c) to step d) without interruption as claimed (see Liew, [0019]).

Regarding claim **10**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Wong** as modified in view of Liew would teach performing step c) simultaneously to steps a) and b) as claimed (see Liew, [0019]).

Regarding claim **11**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, **Wong** would teach the mobile rendering device is positioned in a fixed location when connected to the wired network; and used in a mobile environment when solely connected to the wireless network or not connected to any network at all (see Wong,col. 12, lines 47-58) .

6. Claims **2-3, 12, 14-15** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Wong** in view of **Liew** and further in view of **Moriyama** et al (US 2004/0198430).

Regarding claim **2**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, Wong would teach downloading data via a wireless connection at a maximum available data rate of said wireless network connection to said storage means as claimed (see col. 8, lines 37-44). However, **Wong** fails to explicitly teach continue downloading said data via a wireless connection. However, **Moriyama** teaches a

Art Unit: 2618

method for downloading image data via a wired and wireless connection (see Fig. 6), where downloading of image data via a wireless connection is continued after disconnected from a wired connection (see Fig. 9). Since it would have been obvious to continue download data if the transfer has not been completed (see Liew, [0039]), it would have been obvious to one skilled in the art at the time the invention was made to modify Wong to continue downloading said data via a wireless connection as suggested by Moriyama, in order to finish an assigned task before continue to a next one (see Liew, [0038-0039]).

Regarding claim **3**, the claim is rejected for the same reason as set forth in claim 2 above. In addition, **Wong** as modified would teach the step of switching off said wireless network connection upon finishing downloading said data to said local storage means (see Liew,[0024] and Wong, col. 10, lines 50-56), wherein said data comprises remaining data of a content to be rendered from said local storage means (see Moriyama, Fig. 9).

Regarding claim **12**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, Wong as modified would teach a mobile rendering device (1) for performing the method of claim 1, said device (1) comprising means (10) for reproducing data (see Wong, col. 10, lines 50-56, and Liew, [0019]);

wireless network communication means (17) (see Wong, col. 12, lines 57-58 and Moriyama, Figs. 3, 5), and

wired network communication means (15) (see Wong, col. 12, lines 57-58 and Moriyama, Figs. 3, 5),

said means (10, 15, 17) being operatively connected to each other such that said device is adapted to receiving data via either a wireless network in a mobile environment, or via a wired network at a fixed location (see Wong, col. 12, lines 57-58 and Moriyama, Figs. 6, 9), from a remote data server for rendering on said display means (10) (see Wong, col. 14, lines 41-57),

said device (1) further comprising a storage means (11) for storing data received from said data server via said wired network (15) or via said wireless network (15), wherein received data in use is rendered on said means for reproducing data from data read from said storage means (11) at said fixed location and in said mobile environment (see Wong, col. 10, lines 50-56 and Moriyama, Figs. 3, 5, 6, 9).

Regarding claim **14**, the claim is rejected for the same reason as set forth in claim 12 above. In addition, Wong as modified would teach said fixed location is a stand (12) for releasably receiving said device (1) (see Moriyama, Figs. 1, 3).

Regarding claim **15**, the claim is rejected for the same reason as set forth in claim 12 above. In addition, Wong as modified would teach said device is a portable flat panel television set (see Wong, Fig. 9).

7. Claim **7** is rejected under 35 U.S.C. 103(a) as being unpatentable by **Wong** in view of **Liew** and further in view of **Matthews** et al (US 2002/0109665).

Regarding claim **7**, the claim is rejected for the same reason as set forth in claim 1 above. In addition, since Wong would obviously teach a battery for the portable IMF in a wireless mode in order to provide a power supply for the IMF to operate (see col. 8, lines 62-66), it would have been obvious to one skilled in the art at the time the invention was made to modify Wong to provide a docking to recharge the battery in the similar as disclosed by **Matthews** (see [0017]), in order to provide a power supply for the IMF to operate.

8. Claim **13** is rejected under 35 U.S.C. 103(a) as being unpatentable by **Wong** in view of **Liew** and **Moriyama**, and further in view of **Matthews** et al (US 2002/0109665).

Regarding claim **13**, the claim is rejected for the same reason as set forth in claim 12 above. In addition, , since Wong would obviously teach a battery for the portable IMF in a wireless mode in order to provide a power supply for the IMF to operate (see col. 8, lines 62-66), it would have been obvious to one skilled in the art at the time the invention was made to modify Wong to provide a docking to recharge the battery in the similar as disclosed by **Matthews** (see [0017]), in order to provide a power supply for the IMF to operate.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See the attached PTO-892.

10. **Any response to this action should be mailed to:**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

or faxed to:

(571) 273-8300 (for **formal** communications intended for entry)

(571)-273-7893 (for informal or **draft** communications).

Hand-delivered responses should be brought to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry concerning this communication or communications from the examiner
should be directed to Duc M. Nguyen whose telephone number is (571) 272-7893,
Monday-Thursday (9:00 AM - 5:00 PM).

Or to Nay Maung (Supervisor) whose telephone number is (571) 272-7882.

/Duc M. Nguyen/

Primary Examiner, Art Unit 2618

July 5, 2010